

Document #4701

12/19/85

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: TENTATIVE DESIGNATION OF CRUZ DEVELOPMENT CO., INC.
DISPOSITION PARCEL J-5B
IN THE WASHINGTON PARK URBAN RENEWAL AREA
PROJECT NO. MASS. R-24

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Washington Park Urban Renewal Area, Project No. Mass. R-24, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, Cruz Development Co., Inc., has expressed an interest in and has submitted a satisfactory proposal for the development of Disposition Parcel J-5B in the Washington Park Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Cruz Development Co., Inc., be and hereby is tentatively designated as Redeveloper of Disposition Parcel J-5B in the Washington Park Urban Renewal Area subject to:

- (a) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development;
- (b) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Acts of 1949, as amended;
- (c) Submission within ninety (90) days in a form satisfactory to the Authority of:
 - (i) Evidence of the availability of necessary equity funds, as needed; and
 - (ii) Evidence of firm financial commitments from banks or other lending institutions; and

- (iii) Final Working Drawings and Specifications; and
- (iv) Proposed development and rental schedule.

2. That disposal of Parcel J-5B by negotiation is the appropriate method of making the land available for redevelopment.

3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

4. That the developer be and hereby is authorized to petition the Board of Appeals for any zoning changes that may be necessary to complete the proposed development.

5. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).

6. Developer shall enter into an agreement satisfactory to the Authority which provides that Developer will certify development costs to the Authority and sell dwelling units constructed on the site for an amount no greater than said cost.

7. That the Director is hereby authorized to execute and deliver a License for consideration of One (\$1.00) Dollar to Cruz Development Co., Inc. for temporary use of the Authority-owned vacant lot at Disposition Parcel J-5B in the Washington Park Urban Renewal area of Roxbury to excavate. Said License is to contain the express provision that no obligation on the part of the Authority direct or indirect is to be construed beyond a one month tenancy. Said License shall also contain the expressed provision that the Licensee agrees to assume all maintenance expenses including sewer and water charges and Licensee will have the complete responsibilities for compliance with all municipal codes and ordinances. Said License shall further provide that the Licensee shall obtain liability insurance naming the Authority as co-insured and Licensee agrees to indemnify and hold harmless the Authority from any liability and/or damage resulting from the Licensee's use of the premises. Said License to include such other terms and conditions as the Director deems proper and in the best interest of the Authority.

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE¹

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: CRUZ DEVELOPMENT CO., INC.

b. Address and ZIP Code of Redeveloper: 10 Fairway St., Mattapan, MA 02126

c. IRS Number of Redeveloper: 04-2736941

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Washington Park

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusettsis described as follows²

Parcel J5-B

A vacant parcel bounded by Howland, Harold and Crawford Streets in Roxbury.

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper has the status indicated below and is organized or operating under the laws of Massachusetts:☒ A corporation.☐ A nonprofit or charitable institution or corporation.☐ A partnership known as☐ A business association or a joint venture known as☐ A Federal, State, or local government or instrumentality thereof.☐ Other (explain)4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of organization:
1970

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal members, shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set forth as follows:

John B. Cruz, III - 56 Eliot St., Jamaica Plain, MA - President 75%
John B. Cruz, Jr. - 12 Schuyler St., Roxbury, MA - Treasurer 25%¹If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.²Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

PART I - REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE (Continued)

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹. John B. Cruz, III - 75%
John B. Cruz, Jr. - 25%
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.
John B. Cruz, III - President - John B. Cruz, Jr. Vice President/
Treasurer
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
N/A
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
N/A
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.
N/A

NAME, ADDRESS, AND ZIP CODEPOSITION TITLE (if any) AND PERCENT OF INTEREST OR
DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5) who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of the stock in a corporation which holds 20% of the stock of the Redeveloper):

NAME, ADDRESS, AND ZIP CODEDESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

N/A

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

- ¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section 13 of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item 5 and in Items 6 and 7 is not required to be furnished.

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

- a. Total cost of any residential redevelopment. . . 650,000 - 750,000
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation \$
- d. Cost per dwelling unit of any residential rehabilitation \$

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation:

<u>TYPE AND SIZE OF DWELLING UNIT</u>	<u>ESTIMATED AVERAGE MONTHLY RENTAL</u>	<u>ESTIMATED AVERAGE SALE PRICE</u>
2 BR - Walk-up		65,000
3 BR - Walk-up		75,000

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals;

N/A

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: Refrigerators, ranges, range hoods, disposal, dishwasher, airconditioning.

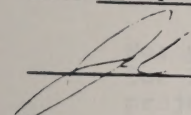
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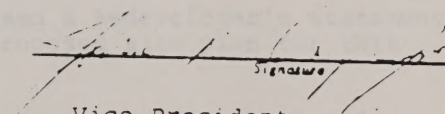
I (We) John B. Cruz, III and John B. Cruz, Jr.

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²

Dated: September 25, 1985

Dated: September 25, 1985


Signature
President
Title

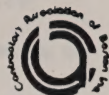

Signature
Vice President
Title

56 Eliot St., Jamaica Plain, MA 02130
Address and ZIP Code

12 Schuyler St., Roxbury, MA 02119
Address and ZIP Code

- ¹ If the Redeveloper is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.
- ² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department of the United States.

J.B. CRUZ



Telephone (617) 296-5040

John B. Cruz Construction Co., Inc.
10 Fairway Street
Mattapan, Mass. 02126

September 24, 1985

Mr. Stephen Coyle
Director
Boston Redevelopment Authority
One City Hall Square
Boston, MA 02201

RE: Parcel J5-B

Dear Mr. Coyle:

The Cruz Development Company is proposing to develop ten (10) units of foresale housing on the parcel referenced above. The project will consist of two and three-bedroom townhouses. The structure will be wood frame with a clapboard exterior. Each unit will have one and one-half (1½) baths.

The townhouses, which we have agreed to build in conjunction with our Cass House/Roxbury Hills Commons project, will sell for \$65,000 - \$75,000 per unit. Construction could begin in the Spring of 1986, and take approximately seven (7) months to complete.

We intend to utilize the Massachusetts Housing Finance Agency's "New Construction Set-Aside program to assist low and moderate income families purchase the units.

For your review, I have enclosed a Redeveloper's Statement for Public Disclosure and a proposed site plan for this project.

Your assistance in this matter is greatly appreciated.

Very truly yours,

John B. Cruz, III
President

JBC, III/hl

Encl.

CC: Dave Baker

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do Not Transmit to HUD Unless Requested or Item 8b is Answered "Yes.")

1. a. Name of Redeveloper: John B. Cruz Construction Co., Inc.

b. Address and ZIP Code of Redeveloper: 10 Fairway St., Mattapan, MA 02126

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Washington Park

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts
is described as follows:

Parcel J5-B

A vacant parcel bounded by Howland, Harold and Crawford Streets in Roxbury.

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? ☒ YES ☐ NO

If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper, and identify the officers and directors or trustees common to the Redeveloper and such other corporation or firm. Cruz Development Corp. 10 Fairway St., Mattapan, MA 02126

Cruz Management Co., Inc., 10 Fairway St., Mattapan, MA 02126

4. a. The financial condition of the Redeveloper, as of _____, 19____, is as reflected in the attached financial statement.

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based: Kennedy and Lehan
One Monorch Dr.
No. Quincy, MA 02171

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of The Redeveloper's plan for financing the acquisition and development of the land:

The developer will obtain a construction loan to build the project. The developer will also work with MHFA to set-aside some low-interest mortgage money for the perspective home buyers.

Form Approved
OMB No. 61R-0867

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed undertaking:

a. In banks:

NAME, ADDRESS, AND ZIP CODE OF BANK

AMOUNT

Bank of New England
28 State St.
Boston, MA

\$ 400,000

b. By loans from affiliated or associated corporations or firms:

NAME, ADDRESS, AND ZIP CODE OF SOURCE

AMOUNT

\$

c. By sale of readily salable assets:

DESCRIPTION

MARKET VALUE

MORTGAGES OR LIENS

\$

\$

7. Names and addresses of bank references:

Bank of New England - David Flynn - 742-4000

Bank of New England - Bernie Fulp - 973-6145

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of the Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, shareholders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of the Redeveloper's Statement for Public Disclosure and referred to herein as "principals of the Redeveloper") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

- b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted for or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description of each project and date of completion:

The developer has developed and built many similar rental projects, but this will be the firm's first for sale project.

PART II - REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY (Continued)

OMB No. 2520-0087

- b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description of work:
- John B. Cruz, III - President John B. Cruz, Jr. - Vice President
 John B. Cruz Constr. Co., Inc. John B. Cruz Constr., Co., Inc.
 10 Fairway St., Mattapan, MA 10 Fairway St., Mattapan, MA 02126
 Responsible for soliciting and Responsible for all field operations
 securing jobs, oversees all office activities.

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper is to participate in the development of the land as a construction contractor or builder:

- a. Name and address of such contractor or builder:

John B. Cruz Construction Co., Inc.
 10 Fairway St.
 Mattapan, MA 02126

- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract?

If Yes, explain:

☐ YES ☒ NO

- c. Total amount of construction or development work performed by such contractor or builder during the last three years: \$ 36.8 million.

General description of such work:

General contractor for numerous new and substantially rehabbed apartment complexes (i.e., Council Towers, 17-story 144 unit apartment complex, Cox Building - 31 unit apartment complex). General contractor for runway at Loring Air Force Base, Limestone, ME, \$14,700,000.

- d. Construction contracts or developments now being performed by such contractor or builder:

IDENTIFICATION OF CONTRACT OR DEVELOPMENT	LOCATION	AMOUNT	DATE TO BE COMPLETED
Cox Building	Roxbury, MA	\$ 1,703,000	7/15/85
Council Tower	Roxbury, MA	7,400,000	7/1/85
Loring Air Force Base	Limestone, ME	14,700,000	8/31/85
O.I.C.	Roxbury, MA	250,000	9/1/85
Quincy Geneva Housing Corp.	Roxbury, MA	2,500,000	8/1/86

e. Outstanding construction-contract bids of such contractor or builder:

AWARDING AGENCY

AMOUNT

DATE OPENED

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statement referred to in Item 4a) are attached hereto and hereby made a part hereof as follows:

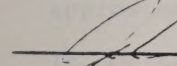
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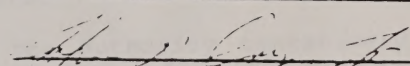
I (We) John B. Cruz, III and John B. Cruz, Jr.

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: September 25, 1985

Dated: September 25, 1985


Signature


Signature

President

Vice President

Title

Title

56 Eliot St., Jamaica Plain, MA 02130

Address and ZIP Code

12 Schuyler St., Roxbury, MA 02121

Address and ZIP Code

¹ If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by such individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department

MEMORANDUM

December 19, 1985

TO: Boston Redevelopment Authority and
Stephen Coyle, Director

FROM: Ricardo Millett, Assistant Director for
Community Planning
Muhammad Ali-Salaam, Project Manager
David Baker, Project Coordinator,
for Special Projects

SUBJECT: **WASHINGTON PARK URBAN RENEWAL AREA
TENTATIVE DESIGNATION, PARCEL J-5B
CRUZ DEVELOPMENT COMPANY, INC.**

Disposition Parcel J-5B is located at the corner of Howland, Harold and Crawford Streets containing 20,502 square feet of Authority-owned land in the Washington Park Urban Renewal Area.

The Cruz Development Company has written the Authority with a proposal to develop this parcel by constructing ten modular units of foresale housing. The units will contain two and three bedroom townhouses, each having one and one-half baths. With conventional financing, Mr. Cruz intends to utilize the Massachusetts Housing Finance Agency's "New Construction" set-aside program to assist low and moderate income families to purchase the units.

Because of the demand for affordable equity housing in the Washington Park area, the Cruz development team has agreed to build these townhouses in conjunction with their Cass House/Roxbury Hills Commons project soon to begin near this site. They will construct these townhouses realizing no profit for \$65,000-\$75,000 per unit. Construction could begin in the Spring of 1986 taking approximately four months to complete.

It is therefore recommended that the Authority tentatively designate Cruz Development Company, Inc., for the purpose of constructing ten units of equity housing on Disposition Parcel J-5B in the Washington Park Urban Renewal Area.

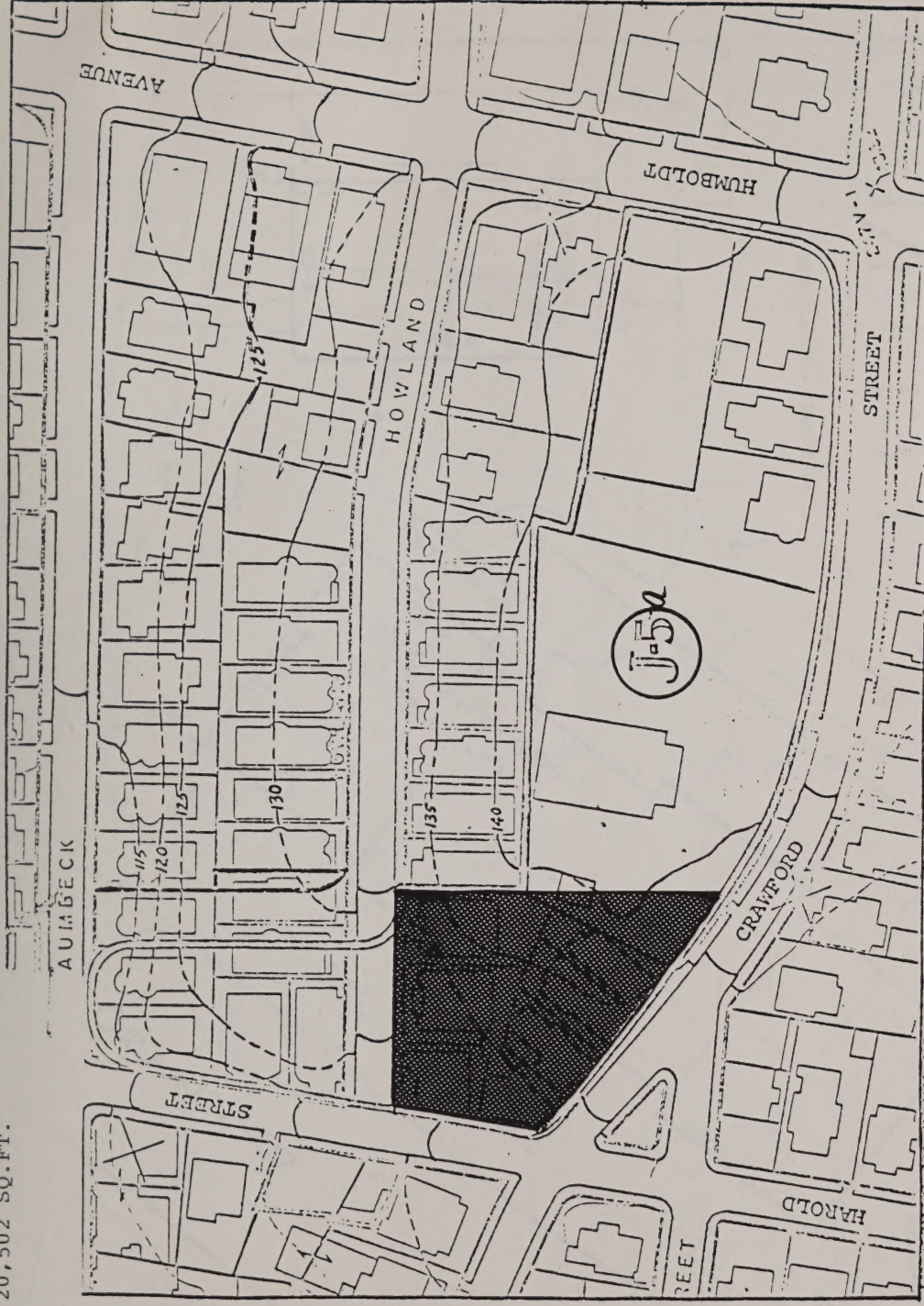
An appropriate resolution is attached.

WASHINGTON PARK - R-24

LOCATION MAP

PARCEL J-5B

20,502 SQ. FT.



WASHINGTON PARK URBAN RENEWAL AREA R-24
BOSTON REDEVELOPMENT AUTHORITY

STREET

